

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	08 Civ. 10223 (NRB) (DFE)
	:	
- v. -	:	AMENDED DECLARATION OF
	:	MICHAEL J. BYARS IN
DANIEL B. KARRON,	:	SUPPORT OF PLAINTIFF'S
	:	MOTION FOR SUMMARY
Defendant.	:	JUDGMENT
-----	x	

I, MICHAEL J. BYARS, pursuant to 28 U.S.C. § 1746, declare under the penalty of perjury as follows:

1. I am an Assistant United States Attorney in the Southern District of New York. I make this declaration in support of plaintiff's Motion for Summary Judgment dated June 18, 2010 (the "Motion") to place before the Court certain documents relating to the Motion.

2. A true and complete copy of the following exhibits admitted into evidence at the June 2008 criminal trial in *United States v. Karron*, No. 07-CR-541 (RPP), is attached hereto under tabs bearing the respective exhibit number in the form "GX ___":

<u>Exhibit No.</u>	<u>Exhibit</u>
GX 2	General Terms and Conditions, Advanced Technology Program
GX 10	Application dated July 6, 2001
GX 10A	Application dated August 6, 2001
GX 11	Letter from Marc G. Stanley dated October 2001 ¹
GX 12	Financial Assistance Award
GX 13	Special Award Conditions
GX 14	Revised Budget dated September 20, 2001
GX 21	Amendment to Financial Assistance Award dated November 7, 2001

¹ GX 11 was inadvertently omitted from Paragraph 2 of the original Byars Declaration, but was attached thereto. As all exhibits remain the same, they are incorporated herein by reference.

<u>Exhibit No.</u>	<u>Exhibit</u>
GX 26	Amendment to Financial Assistance Award dated June 27, 2003
GX 40	Financial Status Report for October through December 2001, dated January 10, 2002
GX 40A	Revised Financial Status Report for October through December 2001, dated August 13, 2003
GX 41	Financial Status Report for January through March 2002, dated April 12, 2002
GX 41A	Revised Financial Status Report for January through March 2002, dated August 13, 2003
GX 42	Financial Status Report for April through June 2002 (undated)
GX 42A	Revised Financial Status Report for April through June 2002, dated August 13, 2003
GX 43	Financial Status Report for July through September 2002, dated October 28, 2002
GX 43A	Revised Financial Status Report for July through September 2002, dated August 13, 2003
GX 44	Financial Status Report for October through December 2002, dated August 13, 2003
GX 45	Financial Status Report for January through March 2002, dated August 13, 2003
GX 46	Financial Status Report for April through June 2002, dated August 13, 2003
GX 62	Final Audit Report for CASI Award dated August 2004
GX 114	Summary of CASI financial records prepared by witness Belinda Riley ²

3. A true and complete copy of the excerpts of the transcript of the June 2008 trial in *United States v. Karron*, No. 07-CR-541 (RPP), cited in plaintiff's moving brief is attached hereto under the tab marked "Trial Transcript."

² Ms. Riley testified that she prepared GX 114 using "canceled checks and American Express statements [as] the main source documents," and GX 114 was admitted into evidence without objection. Trial Tr. 549:22-550:10.

4. A true and complete copy of the transcript of the October 20, 2008, sentencing proceeding in *United States v. Karron*, No. 07-CR-541 (RPP), is attached hereto under the tab marked "Sentencing Transcript."

I declare under the penalty of perjury that the foregoing is true and correct.

Signed this 24th day of June 2010, in New York, New York.

By: s/ Michael J. Byars

MICHAEL J. BYARS

Assistant United States Attorney

Telephone: (212) 637-2793

Facsimile: (212) 637-2717

Email: michael.byars@usdoj.gov